AN APPEAL TO THE PUBLIC,

In Behalf of

GEORGE JOHNSTONE, Eſq;

GOVERNOR of WEST-FLORIDA.

In Anſwer to the NORTH BRITON EXTRAORDINARY, and in conſequence of other Matters not taken Notice of in that EXTRAORDINARY Publication.

"Judicium reddit verum narratio vera." VIRG.

"Hear ALL, and THEN let JUSTICE hold the Scale."
OTWAY.

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AN

APPEAL, &c.

THE proceedings between the author of the North Briton, Governor Johnſtone, and Mr. Brooke, (for the latter, whether the writer of the North Briton or not, muſt be ſeparately conſidered from the firſt) having made a great noiſe in the Political World, and Mr. Johnſtone's Behaviour been greatly cenſured and condemned, it is thought highly neceſſary to ſet every tranſaction in a proper light, and appeal to the judgment of the public, which of the three are the moſt to be blamed.

ON the 17th of September, the writer of the North Briton publiſhed a Paper ſtrongly reflecting on the appointment of

Scotchmen to the Government of Florida. Mr. Johnſtone, it is natural to ſuppoſe, was provoked at ſuch ill-treatment, and, as the other governor was abroad, he thought it, perhaps, the more incumbent on him to ſhew his reſentment in behalf of both; at leaſt he certainly thought, that a vindication of his own cauſe, would be admitted a full juſtification of that of the other. This was not the effect of a "Haſtineſs of diſpoſition," as the North Briton Extraordinary, and the enemies of Mr. Johnſtone, have unjuſtly ſuggeſted, but of a full and mature deliberation; for the Paper made its appearance on the Saturday morning, and Mr. Johnſtone did not apply to Mr. Sumpter till the Monday following.

But leſt ſome of the Readers of this Appeal may not have peruſed the North Briton to which this gentleman, Mr. Johnſtone, ſo ſtrongly, and with ſo much reaſon, objects, it will not be improper to take a ſlight review of that performance; point out the exceptionable paſſages, and detect its malevolent intentions.

The

THE writer, in a Letter to himſelf, begins thus, "Sir, we have been told, "and it has never been contradicted, that "our hopeful adminiſtration have placed "our new ſubjects in Florida under the "government of *Scotchmen*; but as the Ga-"zette has not been diſhonoured by notify-"ing ſo *partial* and *flagrant* an appointment, "I am ſtill in hopes it is either nothing "more than a mere report, or that it is "not carried ſo far into execution, but the "deſign may yet be prevented by ſhew-"ing how *incongruous* it is to *Juſtice*, how "*repugnant* to *Policy*, and how *baneful* to "*Liberty*."

Now, let us conſider this Paſſage. By mentioning the Government being placed in the hands of *Scotchmen*, and then calling that a *flagrant* and *partial* appointment, and the notification thereof a *diſhonour* to the Gazette, is certainly highly inſulting and injurious in reſpect to the parties appointed. Mr. Johnſtone was one of thoſe parties, and conſequently undeſervedly abuſed; becauſe in regard to

himſelf, he could not conſider the Appointment as either *flagrant* or *partial*, or the notification a *diſgrace* to any Gazette whatever. *Partial* to him as a *Scotchman* it could not be, for neither *Engliſhman* or *Iriſhman*, of Deſert, made any Application for it. *Flagrant* it was not, becauſe the Miniſtry had an undoubted right to make choice of whom they pleaſed; and if Mr. Johnſtone was thought the moſt proper perſon, it was not for *him* to refuſe. No! He may juſtly cry out with Othello, "*They had eyes and choſe* "*me.*" But this is not all: The North Briton, after ſaying thus much, maliciouſly ſtrives, the plainer to ſhew his rancour, to deprive the Governor of his Poſt. For which wicked purpoſe, he openly and roundly declares, that he is "in "*hopes* the appointment is either nothing "more than a *mere report*, or that it is "not carried ſo far into execution, but "the deſign may *yet* be PREVENTED, by "ſhewing how incongruous it is to Ju-"ſtice, how repugnant to Policy, and "how baneful to Liberty." If any Engliſhman will take upon him to aſſert,

that

that ſuch an atrocious attempt did not deſerve Mr. Johnſtone's reſentment, a challenge, and a baſtinado to boot, juſtice may be ſaid as well to be fled from England, as (according to the North Briton) it is already from Scotland.

BUT how does he ſhew the impolicy, injuſtice, &c. of the appointment? Hear him. "As it cannot poſſibly be ſuppoſed (continues he in his *pretended* letter) that the Inhabitants of theſe Provinces (Eaſt and Weſt Florida) will meet with a more equitable or lenient treatment, than the people in Scotland experience from their own countrymen, who are inveſted with a juriſdiction over them, I ſhall preſent you with a few anecdotes, which, at the ſame time that they tend to diſplay, in a proper light, that wiſdom which of late has been every where ſo apparent in the acts of the State, will inconteſtibly ſhew, how exceedingly well calculated a Scottiſh adminiſtration is, to reconcile the minds of the Floridans to their new maſters, and convince

" them of the ſuperior bleſſings of an " Engliſh Conſtitution! The truth of " theſe anecdotes (he goes on) may be " fully depended upon, for they are no- " notorious facts; and I doubt not but " they will prove the Scots as eminently " conſpicuous for juſtice at home, as for " œconomy abroad."

I ſhall juſt interrupt Mr. North Briton here, and break in a moment upon the Reader's patience, to obſerve, that admitting the Scots may not be uſed in their own Country with quite ſo great a degree of equity or mercy as Engliſhmen are in England, it by no means follows, that a Scotch Governor ſhould behave in the ſame manner to thoſe in his power abroad, as he poſſibly would do to ſuch as might be under his command at home. The reaſon is obvious: In Scotland, the inferior ſort are carefully and wiſely taught to pay a proper reſpect to their ſuperiors, and to have an implicit belief in the rectitude of every tranſaction of thoſe above them; nor can this be deemed unjuſt, as, from a poliſhed and liberal education, they

they muſt be ſuppoſed to have a much better idea of right and wrong than thoſe, who, from their ſituation in life, cannot have any ſuch advantages. Now it will ſometimes happen, that the lower ſort, from ignorance, or an obſtinate aſpiring diſpoſition, will be headſtrong and wilful; in this caſe, perhaps, their lord, or ſuperior, will puniſh them with a rigour, that, ſimply conſidered, may be carried beyond the merits of the crime, and have the *appearance* of being both inequitable and unmerciful; but, in fact, it is neither the one nor the other; for (like the puniſhment of a *colony* ſlave) it is not inflicted on them, becauſe the fault really deſerves ſo much, but as a warning to others not to offend at all; and ſurely no man will argue ſo wildly, as to pretend that the ſufferings of an individual is to be conſidered, when the public good is the end for which he ſuſtains them?—Let us now examine the other point. In England and our Colonies, (from what depravity of opinion I know not) the lower ſort are brought up with as high notions of freedom and independence, as

any

any of their ſuperiors; and the conſequence of it is, that when their rulers (who, for the reaſons given in reſpect to the Scottiſh gentry, muſt be allowed to know what is proper or improper better than themſelves) have formed any law, or entered into any treaty for the national welfare, truly if the Mob does not approve of it, the kingdom is thrown into an uproar, which cannot be quieted but by a repeal of all that has been done. Now as ſubordination is no more characteriſtic of the middling ſort in our colonies than in England, there can be no fear of a Scotch Governor's endeavouring to rule them there as he would in Scotland, *for he muſt know they would not ſuffer it*, and, therefore, *his own ſafety* will always *inſure* them from the *attempt*.

THE North Briton then goes on to confirm his Aſſertions, and illuſtrate his Poſition, of "that ſpirit of oppreſſion "that prevails wherever a Scotchman "ſtrides into Power," by a ſet of trifling anecdotes, as childiſh in themſelves, as inadequate to the purpoſe propoſed. That

Lord

Lord Halkerſtone, one of the Judges of the ſupreme court in Scotland, uſed, during the receſs of buſineſs, to be conſulted in private, as counſellors are in England, is moſt certain, but what of that? The author of the North Briton of September 17, indeed, ſays, "that in England, "an Engliſh Judge, would have told "thoſe who applied to him, that he was "not a *council*; and ſeverely rebuked "them for making ſuch prepoſterous ap-"plications." It is poſſible they might do ſo; nay, cuſtom aſſures me they would; nevertheleſs, I cannot poſſibly ſee, why a man ſhould not avail himſelf of his abilities, and as all Judges were firſt at the Bar, why they ſhould forget, or refuſe to profit by the Profeſſion, to which they were originally bred? It may perhaps be anſwered, that it is ſtooping below the dignity of a Judge; if this is admitted, the following conſequence *muſt* be drawn, and allowed at any rate, namely, that the Scotch are of a more condeſcending diſpoſition than the Engliſh; and that that ſpirit of Pride which has been ſo univerſally attributed to them by the latter, with

much greater juſtice belongs to their accuſers. The North Briton tells us, that Lord Halkerſtone was "frequently con-" ſulted in private by his country neigh-" bours, and others, about their ſeveral Dif-" erences;" and that "thoſe who were *beſt* " *able* to *plead* their Cauſe, not thoſe who " had the *beſt cauſe* to *plead*, were ſure of his " lordſhip's award." I ſuppoſe the North Briton means this as a reflection on lord Halkerſtone's conduct; what a Caviller! The moſt it can prove is, the captivating power of Oratory; and that Lord Halkerſtone was not leſs fallible than the whole Roman Senate, whoſe ſenſes were frequently charmed, and whoſe deciſions were in many inſtances wrong, through the force of eloquence in Cicero. Well, but the North Briton will ſay, "a Pea-" ſant, one of lord Halkerſtone's own " tenants, once applied to him on ac-" count of a neighbour's cattle having " broke into his orchard, devoured his " fruit, injured his trees, and done him " other conſiderable prejudice, and at the " ſame time requeſting of his lordſhip to " acquaint him how the law ſtood in this

" caſe,

" caſe, and what reparation he might le-
" gally expect? In anſwer to which, (he
" will continue) the judge very learnedly
" and largely expounded the law to his te-
" nant—told him the fine his neighbour
" might be amerced in; which he high-
" ly aſcertained from the ſtrength of the
" wall that fenced in the incloſure—added
" to the whole an exorbitant ſum, as an
" equivolent for damages and repairs—ex-
" patiated on the juſtice of the law—and,
" at laſt, finiſhed his diſcourſe with inter-
" rogating the ſuitor, by whoſe cattle the
" offence had been committed?" The North Briton will farther ſay, that " when lord Halkerſtone underſtood that " it was his own cattle that had, in this " manner, broke down the fence and de-" ſtroyed the orchard, that he entirely al-" tered his tone." True, Mr. North Briton, he did ſo, and ſurely he had ſufficient reaſon for ſuch a proceeding! In the firſt place, the farmer was his own tenant, and, conſequently, by the ſpirit of the laws, and the cuſtom of that country, was his lordſhip's Vaſſal: Was it not then moſt daringly impertinent in him to de-

ceive his Maſter into a belief that the offence was committed by the cattle of another perſon? And was it not moſt highly reprehenſible, nay, moſt deſervedly puniſhable, to wreſt from his lord, by ſo crafty a method, ſuch a peremptory adjudication againſt himſelf? I believe there is not even an *Engliſhman*, loud as he may bellow for the Phantom, Freedom, that could poſſibly anſwer here in the Negative. This, then, granted, how muſt we admire the amiable behaviour of his lordſhip, who, inſtead of chaſtiſing the peaſant, moſt leniently condeſcended to expoſtulate the matter with him; and that in ſo convincing a manner, that I ſhall not fear to lay lord Halkerſtone's Speech before my Readers, juſt as I find it in the North Briton, and appeal to their own judgment for a confirmation of my opinion. "As ſoon "as the Judge perceived (ſays he) how "matters were ſituated, he tells the pea- "ſant, I muſt acknowledge, that the law "really ſtands, *in general*, as I have al- "ready explained it; but there are ſome "particular exceptions to all *general* Rules, "and *many* caſes to which thoſe *general*

"axioms,

" axioms, I juſt now mentioned, cannot
" be properly applied. The caſe before us
" is attended with many very particular
" circumſtances, which render it quite
" unjuſtifiable to ſuppoſe, that thoſe *gene-*
" *ral* rules ſhould be extended thereto. In
" the firſt place, the offending cattle be-
" long to your own Laird, whoſe friend-
" ſhip and favour may, *in all other cauſes*,
" be of more conſequence to you, than
" the *trifle* to be expected from the pro-
" ſecution of ſo *odious* a *claim*. In the
" next place, the *rigour* of law is *only* to
" be uſed between perſons of an *equal*
" degree. What would the world ſay of
" you, if you ſhould perſiſt in ſuch a de-
" mand againſt one ſo much your ſuperi-
" or? And what would my brother Judges
" and the neighbouring gentry ſay of me, if
" I ſhould ſet ſuch an unparallelled Exam-
" ple of condeſcenſion, as to place myſelf on
" an equality with a farmer? No, my own
" DIGNITY will never permit it; and you
" have more *underſtanding*, if you give
" yourſelf a moment's reflection, than to
" ſuppoſe I would ever ſtoop to ſo *abject*
" a *ſubmiſſion*."

HAVING

HAVING ſo far confuted Mr. North Briton, I ſhall now proceed. His next endeavour is to ſhew, that in Scotland "their very *proverbs* are contrived to inſpire "the middling and inferior part with the "notion, that nothing but loſs and diſap- "pointment is to be met with in contending "for right, *even in the plaineſt caſe*, with a "perſon in a ſuperior ſtation:" And pray how does he ſhew this? Why he gives you two or three of their Adages, one of which is, *Shew me the* MAN, *and I'll ſhew you the* LAW; and this the North Briton wiſely expounds to be "manifeſtly cal- "culated to teach the people, that it is ri- "diculous to diſpute with their betters, "when the event of a cauſe may be ſo "eaſily known from the circumſtances "only of the perſons concerned." What an ignorant conſtruction! The true mean- ing is, *Shew me the* MAN, *and from the conſi- deration of his* MORALS, CHARACTER, *and* BEHAVIOUR, *I'll ſhew you the* LAW. Sure- ly this is juſtice in the ſtricteſt ſenſe; for if a Man be a bad man, how right ſoever he may be in that particular cauſe, it would undoubtedly

undoubtedly be extremely inequitable to let him triumph, in the way of law, over an antagoniſt who is a leſs diſhoneſt man than himſelf! The comment therefore, which the North Briton *ironically* makes on the Scotch proverbs, I ſhall beg to do *ſeriouſly*; viz. "Theſe, and other ſimilar "ſayings amongſt the Scots, evidently "prove the good opinion they entertain of "their own Judges, and the adminiſtrators "of law in their own country."

THIS *pretended* Correſpondent of the North Briton's proceeds on his unmeaning topic, ſtill more unmeaninglyhandled, with ſaying, "I will now, ſir, ſhew you how "Cauſes have been, and now are, carried "on; that you may have at once before "you the conduct of Scottiſh Judges, as "well during the time of their *Seſſions*, "as that of their *Vacation*. In the court of "Seſſion (continues he) it is uſual, as at "Paris, for perſons at law with each "other, to go about, like candidates at an "election, ſoliciting the votes and intereſt "of the Judges, who (i. e. the Judges) "are each attended by a PATT and a

SECRE-

" SECRETARY; the firſt of which it is " abſolutely neceſſary to *conſult*, and the " latter to *treat* with. When you are " informed of the origin of *Patſhip*, you " will readily gueſs the nature of the of- " fice. One of the former Judges of that " court, of the firſt character, knowledge, " and *application to Buſineſs*, had a ſon at " the bar, whoſe name was PATRICK, " and when the ſuitors came about ſolicit- " ing his favour, his queſtion was, *have you* " *conſulted Pat?* If the anſwer was affirm- " ative, the uſual reply of his lordſhip " was, *I'll enquire of Pat about it. I'll take* " *care of your Cauſe. Go home and mind your* " *Buſineſs.* This Judge (he goes on) in " that caſe, was ever as good as his " word; for while he and his brother " Judges were putting on their robes, " he would tell them what pains his ſon " had taken, and what trouble he had " put himſelf to, by *his* directions, in " order to find out the real circum- " ſtances of the diſpute; and as no one " on the bench would be ſo *unmannerly* " as to queſtion the *veracity* of the ſon, " or the *judgment* of the father, the de-

cree

" decree always went according to the in-
" formation of *Pat*. At the preſent Æra,
" in caſe a Judge has no *ſon* at the Bar, his
" neareſt relation, and he is ſure to have
" *one* there, officiates in that ſtation."—
The North Briton, I do not doubt, plumes himſelf highly on this Stroke at the Scottiſh Judges; alaſs, poor man, how he dupes himſelf by falſe concluſions! That his origin of *Patſhip* is juſt, I do admit, and that the Judges are *now* attended by them, I will allow; but where is the impropriety of the practice? I believe no one imagines that a Judge can be too well acquainted with the cauſe before him; or that the merits of it can be dived into too deeply; therefore as the evidence that appears before a court is frequently falſe, and conſequently hurtful, merely for want of time to examine, and proper conſideration to detect it, ſurely a Judge's employing a *Pat* to conſult and enquire into the caſe, and make his report accordingly, *previous to the trial*, is a highly *prudent* proceeding; truly conſonant to law, and ſtrictly conformable to equity? For my part, *I* have ſo great an opinion of *Patſhip*, that

I cannot help expreſſing a wiſh to ſee it adopted in all the courts of Juſtice in England. As to the Fees that are paid by the parties at law, to the *Pats*, (at which the North Briton only glances by a *good-natured* inuendo) they are nothing more than trifling compenſations for their trouble, paid them on the well known axiom, that *every labourer is worthy of his hire*; and in regard to the *Pats* being generally the ſons and near relations of the Judges, that is not done with the intereſted intention to enrich themſelves and Families: No—it flows from the *nobleſt* motive — for on whom, with equal reaſon, could they implicitly rely, for a juſt and true relation of things, as on their own blood; whom, having educated and inſtructed in the *ſame* principles as themſelves, they may be able to depend on the HONESTY of *their* ſentiments, from a thorough conviction of the EQUITY of their *own?* The premiſes *thus* conſidered, and explained, can it be wondered at, that in all the cauſes tried before that great man, the original founder of *Patſhip*, " no one on the bench would " be ſo *unmannerly* as to queſtion the *vera-*

" *city*

" *city* of the ſon, or the *judgment* of the father?" Or is it any way ſtrange, that the conſequence of it was, " the decree always " went according to the information of " *Pat?*" The North Briton may, if he pleaſes, after his own ironical manner, declare, that the *ſons* being educated in the *ſame* principles as the *Fathers*, he does not doubt, but the *honeſty* of the *one*, is truly conformable to the *equity* of the *other*: To which I ſhall only anſwer, *Honi ſoit qui mal y penſe*.

THE reſt of his anecdotes and remarks being of a piece, for ſoundneſs of reaſoning, and propriety of application, with the foregoing, and having, I think, ſufficiently detected the malevolence and abſurdity of thoſe already animadverted upon, I ſhall paſs the remainder over in ſilence, and come directly to the North Briton's Corollary, which he gives (in his letter to himſelf) in theſe words; " I " could, ſir, preſent you with many other " ſimilar anecdotes; but theſe, I preſume, " will fully ſuffice, to give you a true " idea of that high eſtimation, in which

" Liberty and Juſtice is held in the king-
" dom of *Scotland*. Every man of ſenſe
" will eaſily perceive, how truly *impolitic*
" it muſt be, to put the people of Flori-
" da in the power of perſons, who, even
" *amongſt themſelves*, are guilty of ſuch *un-*
" *juſtifiable* and *inhuman* proceedings; and I
" leave it to your own particular conſidera-
" tion, Mr. North Briton, (continues he to
" himſelf) whether, under a government of
" *this* ſort, the Floridans can have any in-
" ducement to become good and uſeful
" Citizens, and *ſincerely* unite themſelves
" with England; or whether they will
" not, rather, be inclined to believe us a
" ſet of unmerciful oppreſſors; *undeſerving*
" their *duty* as SUBJECTS, and *unworthy*
" their *affections* as MEN?" — As to the
firſt part of his Corollary, its ſatirical inu-
endo cannot *now* have any weight with my
readers, any more than his ſucceeding
epithets of *unjuſtifiable* and *inhuman*: But
even admitting the juſtneſs of the latter,
I have nevertheleſs ſhewn at the beginning
of my Appeal, that the *high-flown* notions
of liberty and independance, are as predo-
minant in our Coloniſts, as in the Engliſh,
and

and that the ſpirit of their conſtituion is exactly the ſame: Now as the people of Florida will not conſiſt *entirely* of Floridans and Scotchmen, but be compoſed alſo of Engliſh, Iriſh, and Natives from many of the other Britiſh ſettlements, all of whom have already lived, under Engliſh laws, and Engliſh Government, there can be no doubt, but theſe *unenſlaved* gentry will take care to inſtil into the minds of the Floridans the ſame curious opinions of *Freedom* they have ſo boundleſsly imbibed in themſelves; and the conſequence of it will be, that the *Scotch* Governors will have more wiſdom, than to think of ruling in *ſo* abſolute a manner, as may be conſiſtent with the paſſive diſpoſitions of the inferior *Scots*, but altogether incompatible with the ungovernable tempers of the *others:* The ultimate deduction therefore, is, that their Excellencies, Governors Johnſtone and Grant, even were they diſpoſed to it (which I can by no means admit) will never act ſo impolitically deſpotic, as to introduce into Florida any part of *Scottiſh Lairdiſm* (highly as it ought to be preferred to *Engliſh Ideas*

of

of *government*) whereby they may " in-
" cline the Floridans to believe us a ſet of
" unmerciful oppreſſors; *undeſerving* their
" *duty* as SUBJECTS, and *unworthy* their
" *affections* as MEN."

As my readers muſt be now as thoroughly ſatisfied as myſelf, of the groſſneſs of the affront offered to Governor Johnſtone by the North Briton, with what degree of aſſurance muſt not that author be endued to bring the ſubſequent tranſactions between them, " before the tri-
" bunal of the public," in a North Briton Extraordinary? And with what a ſtock of audacity muſt he not be furniſhed, to declare, at the ſame time, with all the ſeeming conſcious honeſty imaginable, that " by their impartial judgment he is wil-
" ling to abide; and to their uninfluenced
" verdict he is ready to ſubmit?" If guilt can thus barefacedly brave the light, with what degree of boldneſs, may not an appeal in behalf of innocence emerge into day!

IN

In conſequence of this extreme ill-uſage, did Mr. Johnſtone write that *Letter* to the North Briton, which has been ſo untruly denominated a challenge. The meeting, as appears by the epiſtle itſelf, was deſired merely as a *favour*; now, ſurely, no man can think the Governor would be ſo extravagantly ſilly as to challenge another, and call the acceptance of that challenge a *favour!* Well, but what then (it may be ſaid) was the intention of that meeting? Why that was ſufficiently explained in the letter, where Mr. Johnſtone ſays to the North Briton "I will endeavour "to convince you, by ARGUMENTS, "beſt adapted to your ſenſations, how "much you are miſtaken in the Man "you have endeavoured to injure, with-"out provocation." The deſign is here plainly pointed out. If ſword and piſtol had been meant, the Governor would never have termed them *Arguments*; becauſe that gentleman is not ſo weak as to imagine, that to conquer in a Duel, is a proof of the equity of the conqueror's cauſe; nor can he be *Iriſhman* enough to advance, that to *kill* the North Briton, would be the means

means of " *convincing* that writer that " he had been miſtaken in the Man he " had endeavoured to injure without pro- " vocation." No—by *Arguments*, he meant only " Words--Words--Words," as Hamlet has it. Now *Words* being the North Briton's Province, nothing could be more aptly expreſſed, than by ſaying he ſhould be " convinced by arguments *beſt* adapted " to *his* ſenſations." It is, I own, a common obſervation, that *Words* are too frequently productive of *Blows*, and that whenever the latter happen in a Quarrel, the Narrator of the affair generally remarks, " that one WORD brought on " *another*, and, at laſt, from WORDS, they " fell to BLOWS;" but that this would have been the caſe, between Mr. Johnſtone and his antagoniſt, cannot poſſibly be ſuppoſed, after having ſo inconteſtibly ſhewn, that the former never intended any ſuch conſequence from his Letter. As to Hyde Park being pitched upon for the meeting, in preference to any tavern or coffee-houſe, the deſign was to prevent the poſſibility of inquiſitive people overhearing, and liſtening to, a diſpute, of

ſuch

ſuch high importance; and as to the friend, which the Governor *gave leave* to the North Briton to bring with him, it ſprung only from the *generous* and *impartial* motive, that he did not deſire to *convince* his adverſary of his fault, without a witneſs being by, to evidence the *fairneſs* of the triumph, and that he conquered in the CONTROVERSY, by the dint of ARGUMENTS only. However, to put this matter out of all diſpute, Mr. Johnſtone, in his ſecond epiſtle, calls his firſt, "a *civil* "letter, which has been *conſtrued* into a "CHALLENGE, and given the North "Briton his favorite opportunity of reduc-"ing the point in iſſue, to a quibbling war of "words." Mr. Johnſtone I know to be a man, who ſcorns equivocation *equally* with a lie: If therefore, he had intended his epiſtle as a *challenge*, he would have been above the *meanneſs* of calling it a *civil* letter, becauſe he very well knows, that there can be no great *civility* in a challenge. In the next place he charges the North Briton with *conſtruing* it into a challenge, which ſufficiently *implies* that the conſtruction is *wrong*. And, laſt of all, ſome few lines

after, he has theſe words, " but *ſuppoſing* " Mr. Johnſtone's letter had *really* con- " tained a challenge;" which is only *ſup-poſing* it for *argument's* ſake, but, in fact, denying that it *really* did.—I am here aware that I have quoted a paſſage above, that ſeems to tell againſt myſelf; I mean where the Governor talks of the North Briton's having gained " his fa- " vourite opportunity of reducing the " point in iſſue to a quibbling war of " words." I know it may be urged, that Mr. Johnſtone muſt, (notwithſtanding all I have advanced to the contrary) certainly have intended ſomething more than a mere diſ-pute of *Words*, at the meeting deſired in his firſt letter; for it may be natural to ſay, where is the propriety of his thus charging, in his ſecond letter, the *North Briton* with having reduced the point in iſſue into a quibbling war of *Words*, if *he himſelf* meant no more than a war of *words* in his firſt? I own this objection has the air of ſhrewdneſs, and carries with it the appearance of force, but it is nevertheleſs eaſily obviated. If my readers conſider the paſſage a little attentively, they will find

find a ſingle word there that reconciles the whole. Mr. Johnſtone does not tax the North Briton with bringing the diſpute to a mere war of *words*; no, that was the very point he aimed at himſelf: His charge is, that he had reduced the matter to a *quibbling* war of words; and there, indeed, he knew he could not ſtand on an *equal* footing with his antagoniſt. That the North Briton is a QUIBBLER, his giving the name of *Challenge* to a *civil* letter, intended only to convince him of an error, by *Arguments*, will plainly teſtify: That Mr. Johnſtone is *not* a QUIBBLER, his ſecond epiſtle, where he diſavows his firſt to *be* a Challenge, is, of itſelf, a full and ſufficient proof.

"BUT ſuppoſing, (to uſe the Gover-
"nor's own words) Mr. Johnſtone's let-
"ter had *really* contained a challenge,"
What does the North Briton mean in his Poſtſcript, by inſiſting "*for particular rea-*
"*ſons*, on the Governor's appointing for his
"Second, in caſe of an encounter, that pink
"of Scottiſh chivalry, the ever renowned
"and redoubtable hero, captain Forbes?"

Did he want to engage them both, in order to redeem the honour of his Colleague? Or did he propoſe to pitch upon Mr. W. for *his* Second, and ſo bring on a battle-royal? Neither. He knew well enough, that captain Forbes was GONE *out of the way*; and, beſides, if he was not, that captain Johnſtone could not, in honour, appoint *ſuch* a Second, whom not the Engliſh alone, but the Scotch themſelves muſt, and do, eſteem as a hot-headed madman. What then *did* the North Briton intend? If I may be permitted to explain another Man's thoughts, I believe he meant the higheſt inſult imaginable to captain Johnſtone, by a tacit compariſon between him and Forbes; nothing leſs, than that their *Cauſe* was *ſimilar*, and their *behaviour* the *ſame*.

THE North Briton's "*particular reaſons*" thus diſcovered, Mr. Johnſtone's ſeeming deviation ſo much from the gentleman, in his anſwer, is readily accounted for. To be treated on the footing of a madman, was enough to make a man of much more patience than, I am ſure, Mr. Johnſtone pretends

tends to poſſeſs, fly into a paſſion, and run out into the calling of ſcoundrels, knots of knaves, *&c.* It may be replied, that the North Briton obſerves, there is " an " amazing difference between the *phren-* " *zical* WARMTH of *romantic* HEROISM, " and the *incumbent* RESENTMENT of *af-* " *fronted* HONOUR," and that he will not allow Mr. Johnſtone, in this affair, " could " poſſibly have the leaſt pretenſion to the " latter." I will acknowledge, that the man who purſues the former, juſtly claims the epithet of mad; but that was by no means the purſuit of the Governor; *affronted Honour* was *his* caſe in a *double* degree. The affront was not confined to him as a *man of honour*, but extended to him as an *honourable man*. That captain Johnſtone is a *man of honour*, his tenaciouſneſs of his character, diſtant ſoever as it may be touched upon, and his readineſs to call his accuſers to account, is ſtrongly exhibited through the whole of his behaviour in life, from the earlieſt part of his days in Jamaica, to his quarrel with the North Briton. That he is an *honourable man*, I ſhall have no need to prove from his conſanguinity

ſanguinity to ſeveral noble *Scotch* families, becauſe he has a nearer and more immediate claim to it. He is Governor of Weſt Florida, and that, alone, confers on his Excellency the envied title of His Honour; yes, let me proclaim it aloud, tho' I deafen the North Briton with the ſound, His Honour!

I shall now take notice of the artful turn which the North Briton, in his reply to the Governor's ſecond Epiſtle, gives to the expreſſion of the knot of Knaves. Mr. Johnſtone in his letter *flatly* calls the Authors of that paper a knot of Knaves; now let us ſee the *quibbling* writer's anſwer to it. "Well (ſays he) but who, my good "Sir, are theſe ſame knot of Knaves? "Indeed, Mr. Governor (he goes on) you "ſhould learn to be a little more explicit. "If I had not been endowed with a tolera- "ble memory, I had remained in the dark "to this moment. A knot of Knaves! *I* "*ken your meaning weel*, [inſolent puppy!] "I do remember having read a Comedy, "written and publiſhed in the year 1652, "by Mr. John Tateham, city Poet in the

"reign

" reign of Charles I. called THE SCOTCH
" VAGARIES, or a KNOT OF KNAVES,
" and a knot of Knaves, indeed, he has
" ſhewn them! Perhaps you recollected
" (continues he) the *title* of the Play with-
" out its *contents*. Shall I give you a ſpeci-
" cimen or two?" Inſulting as it is, I ſhall paſs over the quotation he then makes from it, and beg to aſk this one queſtion. Could the North Briton really ſuppoſe, that if Mr. Johnſtone had ever read this Comedy, he would have adopted the ſecond title of it to apply to him and his coadjutors? No; Mr. Johnſtone muſt be aſſured, that they would never miſs ſuch an excellent opportunity of turning the very cannon againſt *him*, which he had ſo unſkilfully pointed at *them*. It is a piece ſo highly and poignantly charged againſt the Scots, that I have long ſince wondered it eſcaped the notice of the North Briton. The truth is, Mr. Johnſtone certainly never thought of that Play when he wrote to his antagoniſt; it was by accident, and accident only, that he and Mr. Tateham hit on the ſame ſet of words, to expreſs the characters of a very *different* ſet of people.

As

As to the North Briton's obſervations on Mr. Johnſtone's going out of town at the very time he was led to expect an anſwer to his *challenge*—the deuce take the word! —*Letter* I mean,—I look upon them as mere ſallies of wit. In the ſame light I eſteem his explanation of what he calls Mr. Johnſtone's allegory; and juſt the ſame too do I hold his laughable ſtroke at the Inſpector. There is, what I have ſomewhere heard termed, great *cleverofity*, about all; but as they cannot deſerve a ſerious anſwer, I ſhall haſten onwards to thoſe paſſages that do.

THE writer taking for granted that the Governor's letter *is* a challenge, but which I have fully ſhewn is *not*, brings up the rear of one of his epiſtles, with what he imagines a couple of unanſwerable remarks. "The North Briton (ſays he) "has but two obſervations more to make "in regard to the challenge, and he muſt "think them very ſtrong ones. Does Mr. "Johnſtone believe THAT man a pro-"per perſon to have the *ſupreme command* of

" of a COLONY, who, on the moſt frivo-
" lous occaſion, is ſo ready to *burſt through*
" *the* LAWS *of the* MOTHER COUNTRY?
" And does he think if *his Majeſty*, or
" the *Earl of Hallifax*, were informed of
" his ſentiments and behaviour, in *this*
" affair, he would, *neverthelefs*, be *continued*
" GOVERNOR of *Weſtern* Florida?" To theſe *unanſwerable* queſtions, I ſhall beg to make the following reſponſes.

FIRST; Mr. Johnſtone, I am certain, does *not* think that man a proper perſon to have the ſupreme command of a Colony, who, *on the moſt frivolous occaſion*, is ſo ready, as the North Briton would *inſinuate* Mr. Johnſtone to be, to burſt through the Laws of the Mother Country: But this gentleman's letter *not* being a challenge, he, conſequently, did not burſt through them *at all:* Neither would he have burſt thro' them, *on the moſt frivolous occaſion*, even if it had; for the affronts he had received, (or I have been defending him to very little purpoſe) I have ſurely ſhewn to have been beyond all bearing. Secondly; tho' I cannot take upon me to ſay, whether the

great perſonage is, or is not, informed of Mr. Johnſtone's ſentiments and behaviour in this affair, yet I *can* take upon me to *affirm*, that the great man is, ay, and the Earl of Bute too, *thoroughly* acquainted with them, and, *nevertheleſs*, to the great mortification of the North Briton and his adherents, that he *will* be continued Governor of Weſtern Florida.

HAVING now waded through the paper of September 17, and animadverted on the material points in the North Briton Extraordinary; having detected their malevolence, expoſed their inſolence, and exhibited their falſities; I ſhall not ſcruple to appeal to the underſtandings of my readers, whether Mr. Johnſtone had not all the reaſon in the world to call the Author to account, *in any way whatever?* Secondly, whether his demanding only the ſatisfaction of convincing him by *arguments*, is not the higheſt proof of Mr. Johnſtone's being a gentleman of *uncommon condeſcenſion*, and *remarkable coolneſs of temper?* And, laſtly, whether *any* behaviour in Mr. Johnſtone, after a diſcovery of the Author of the

the paper of September 17th, would not be *warrantable* in *Honour*, even though *unjuſtiable* in *Law?*

THIS naturally leads me to a few remarks on the occurrence, which has raiſed ſo much clamour, and made ſo much noiſe in the world, between Mr. Johnſtone and Mr. Brooke. What I have to ſay on this head, will, however, be confined to a very ſmall compaſs; for as it is now under a judicial proceſs, that will be the moſt proper method of determining its merits.

MR. Johnſtone received ſuch information as *he* thought ſufficient, that Mr. Brooke was the author of the Paper of September 17th. In purſuance of this notice, he went to this gentleman's houſe, in order to be ſatisfied of his reaſons for ſuch a conduct. But that I may be as impartial as poſſible in reſpect to this circumſtance, I will ſet it down, as I find it in a common news paper. In the Gazetteer of Wedneſday, October 19, appeared this paragraph.

"A FEW days ſince, a lately appointed "Governor of one of our new ſettlements, "went to the lodgings of Mr. B. after "ſending him ſeveral letters, one in par-"ticular, deſiring a meeting with him at "the Ring in Hyde Park; and after que-"ſtioning Mr. B. if he was the author of "a late North Briton, and not receiving "an anſwer to his ſatisfaction, immediate-"ly ſtruck Mr. B. with both fiſt and "cane, and then drew his ſword upon "him, and threatened his life, but aſſiſt-"ance coming into the room, prevented "farther miſchief. Mr. B. has ſince ſerved "him with a Judge's warrant, and em-"ployed Mr. Beardmore to proſecute him "for the aſſault."

THE next day comes out, in the ſame Paper, the following more circumſtantial account; no doubt, from its earneſtneſs to rectify miſtakes, written by Mr. Brooke himſelf.

"WE were miſtaken yeſterday in our "account of the behaviour of the *Scotch* "Governor

" Governor of Weſt Florida. No chal-
" lenge was ever ſent to Mr. B. to meet at
" the Ring in Hyde Park. The challenge
" was ſent to Mr. Sumpter's, the publiſher
" of the North Briton, and directed only,
" *To the author of the North Briton of Sep-*
" *tember the 17th*, but to no perſon *by*
" *name*. So far was the Scotch gentleman
" from challenging Mr. B. that when he
" came to his apartments, he never men-
" tioned the having ſent him any chal-
" lenge, or even inſinuated a ſuppoſition
" that Mr. B. muſt have received one
" from him, which he had not anſwered.
" The plain queſtion was, *Whether he,*
" *(Mr. B.) was the Author of the North*
" *Briton of September the 17th; and, if not,*
" *would he give it under his hand to that ef-*
" *fect?* *Mr. B.* demanded his authority
" for that queſtion? The *Governor* inſiſted
" that *Mr. B.* abſolutely was the Author
" of it, but denied giving up his autho-
" rity. *Mr. B.* ſaid it was a bold aſſertion
" to be made, unſupported by any proof.
" The *Governor* repeated his firſt queſtion.
" *Mr. B.* refuſed, without firſt knowing
" his authority. On which, without the

" leaſt

" leaſt threat, menace, or even appearance " of anger, that might have put *Mr. B.* " on his guard, the *Governor*, unſuſ- " pectedly, ſtruck him with his fiſt, " and as manfully repeated his blow " with a large ſtick; and then, as " *Mr. B.* was *grappling* with him, the " *Governor* found means to draw his " ſword; by which time, the buſtle had " brought a perſon into the room. *Mr. B.* " had neither ſword, ſtick, or any weapon " of defence in the room whatever; not " even the common ones uſual to all, ſuch " as poker, ſhovel, *&c.* they having been " removed in order to be cleaned."

THOUGH I believe I might ſave myſelf the trouble of animadverting on this tranſaction, from the conviction which my readers *muſt* have, of the juſtneſs of Mr. Johnſtone's cauſe, yet I will beg to be heard a few words. In the firſt place, as Mr. Brooke *muſt* be conſcious that he was the Author of the paper in queſtion, and as he *muſt* be convinced that it was a manifeſt reproach on the *Scots* in general, and, as *I* have explained it, on the *Governor* in particular;

ticular; I ſay, ſelf-convicted of theſe things, it was, undoubtedly, the higheſt mark of ill-breeding, not to call it inſolent equivocation, in Mr. Brooke, to demand Mr. Johnſtone's authority. This admitted, and admitted it *muſt* be, can the Governor be poſſibly blamed for chaſtizing ſuch unexampled behaviour to a man of his politeneſs? From Mr. Johnſtone's known character in this accompliſhment, I dare appeal to Mr. Brooke himſelf, whether the queſtion was not put to him in the politeſt manner? It is no wonder, therefore, he could not *brook* (ſpare me the pun) ſo uncivil a return. The writer of the paragraph ſeems to reſt much on what followed Mr. Brooke's denial to reſolve the queſtion, namely, that "without the leaſt threat, "menace, or even appearance of anger, "that might put *Mr. B.* on his guard, the "Governor *unſuſpectedly* ſtruck him with "his fiſt, and as *manfully* repeated his "blow with a large ſtick." And ſo Mr. Brooke you are angry, that Mr. Johnſtone did not give you a previous notice of his intention, but ſtruck you unſuſpectedly! Was there ever any thing more abſurd?

Does

Does the commander of an army, when he intends an attack, think it a mark of *prudence* to acquaint his enemy of his intentions? No, no, Sir. Though Mr. Johnſtone is as *polite* a man as breathes, and let me ſay too as *generous* a man as exiſts, yet I think it would have been ſtraining the point a little too far, to have exerciſed thoſe virtues, in *ſuch* a caſe, and to *ſuch* an adverſary. Pray, Mr. Brooke, let me aſk you this one queſtion; if Mr. Johnſtone *had* put you on your guard, would you not have taken your advantage of it, ſo as to have prevented if not the blow, yet the intended effect of it? Come, come, I *know* you would: for you acknowledged you *grappled* with him, as it was, and, as I am told, even went ſo far as to *ſtrike* him too.—In regard, ſir, to your parade about Mr. Johnſtone's drawing his ſword; you acknowledge, yourſelf, he did not do it *till* you grappled with him, and *then* he had, ſurely, a *right* to that ſtep. It was to *defend* himſelf, not *offend* you. You will ſay, indeed, that you was a naked man; had no ſword, no ſtick in the room; no weapon whatever. What is that to

the

the Governor? Why had not you one then? Was not he to *defend himſelf* with his *ſword*, becauſe, truly, you had no weapon but your *hands* to *offend* him? For ſhame, Sir, learn to argue a little more conſiſtently!

A WORD or two more, and I have done. Why, Mr. Brooke, did not you, when you was at your contradicting, ſet the Matter right in regard to the Judge's warrant? But I can eaſily ſee through your malevolent omiſſion. You did not chuſe to rectify it. You wanted the world to imbibe an opinion, that Mr. Johnſtone is a very terrible Man, and that you had been obliged to ſerve him with a Judge's warrant, to ſecure your own life. What malice! You very well know, Sir, that this Judge's warrant was ſerved on him *only* to hold Mr. Johnſtone to bail, to anſwer the aſſault, and as you had not ſworn the peace againſt him, that it was not to bind him, in ſureties, that he ſhould not break it. Fie, Sir, what can you think of yourſelf, in not undeceiving the *World* in this important particular, when it is evident,

from your own conduct, that *you* are far from holding Mr. Johnſtone in ſuch an *alarming* light, and that *you* are very diſtant from entertaining any *fear* of *danger* from him? I believe, Sir, you begin to bluſh for your behaviour to Mr. Johnſtone in this affair; I am ſure the Public *muſt* for you; to whoſe cenſures I now leave you.

FINIS.